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TESLA, INC. DBA TESLA MOTORS, INC.

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13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
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16 DEMETRIC DI-AZ, OWEN DIAZ AND  
LAMAR PATTERSON

17 Plaintiffs,

18 v.

19 TESLA, INC. DBA TESLA MOTORS,  
20 INC., CITISTAFF SOLUTIONS, INC.;  
WEST VALLEY STAFFING GROUP;  
21 CHARTWELL STAFFING SERVICES,  
INC.; NEXTSOURCE, INC.; and  
22 DOES 1-10, inclusive

23 Defendants.

Case No. 3:17-cv-06748-WHO

**DEFENDANTS' JOINT REQUEST TO  
RETAIN CONFIDENTIALITY OF  
DOCUMENTS**

Complaint Filed: October 16, 2017  
Trial Date: May 11, 2020

Pursuant to the Court's December 30, 2019 Order, Defendants Tesla, Inc. ("Tesla") and nextSource, Inc. ("nextSource") submit the following joint request to retain confidentiality of documents filed under seal in connection with defendants' summary judgment and partial summary judgment motions.

The chart below first identifies the documents that Tesla requests be maintained partially under seal, in redacted form. In support of this request, the Declaration of Athina Martinez is submitted concurrently with this request. The next section of the chart identifies documents and testimony submitted under seal, but that defendants are not requesting remain under seal. This portion of the chart is arranged chronologically, by Docket Number.

DOCUMENTS TO BE MAINTAINED PARTIALLY UNDER SEAL			
Docket No.	Motion/Filing Party	Evidence Submitted	Description of Evidence
Docket No. 124	Plaintiffs’ Opposition to nextSource’s MSJ	Declaration of Larry Organ Decl., Exh. D	TESLA 0001014 – TESLA 0001050
	<b>Requested redactions:</b> TESLA-0001014 (Section 1.1); TESLA-0001015 (Sections 2.3, Section 2.4, Section 2.7, Section 2.8); TESLA-0001016 (Section 2.8, Section 3.1(c), Section 3.2, Section 3.3, Section 3.4); TESLA-0001017 (Section 4.2 (b)-(d), Section 4.3(a)-(b), Section 4.4(a)); TESLA-0001018 (Section 4.4(a)-(d), Section 5.2, Section 5.3(a)); TESLA-0001019 (Section 5.3(b), Section 6.2, Section 7.1, Section 7.2, Section 7.3); TESLA-0001020 (Section 7.4, Section 8.2, Section 8.3, Section 8.4, Section 8.5); TESLA-0001020 (Section 8.5); TESLA-0001022 (Section 11.1, Section 11.2, Section 11.3, Section 11.4); TESLA-0001023 (Section 11.4, Section 12.1(a)-(d), Section 12.2); TESLA-0001026 - TESLA-0001027 (Section 14.13(l); TESLA-0001027 (Section 14.13(p)); TESLA-0001029–TESLA-0001034 (work order); TESLA-0001040 (Section 1); TESLA-0001041 (Section 4, categories, position types, and position descriptions); TESLA-0001042 (Section 5); TESLA-0001043 (Section 1, categories, position types, and position descriptions); TESLA-0001045 – TESLA-0001046 (Section 1, categories, position types, and position descriptions); TESLA-0001047 (Section 1, Section 4); TESLA-0001048 (Section 9, Section 13, Section 14)		
DOCUMENTS AND TESTIMONY THAT CAN BE UNSEALED			
Docket No.	Motion/Filing Party	Evidence Submitted	Description of Evidence
Docket No. 92	Plaintiffs’ Opposition to CitiStaff’s MSJ	Declaration of Larry Organ, Exh. A	CITISTAFF-000034- CITISTAFF-000035
Docket No. 92	Plaintiffs’ Opposition to CitiStaff’s MSJ	Declaration of Larry Organ, Exh. B	CITISTAFF-000043
Docket No. 92	Plaintiffs’ Opposition to CitiStaff’s MSJ	Declaration of Larry Organ, Exh. C	NS0000004

Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. D	12/3/18 O. Diaz Deposition testimony; 5/22/18 O. Diaz Deposition testimony
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. E	TESLA 0000511
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. F	TESLA 0000510
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. G	TESLA 0000667 – TESLA 0000671
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. H	TESLA 0000314 - TESLA 0000316
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. I	5/15/18 D. Di-az Deposition testimony
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. J	7/26/19 L. Patterson Deposition testimony
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. K	TESLA 0000060
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. L	TESLA 0000626
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. M	NS000139
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. N	CITISTAFF-0000050 – CITISTAFF-0000055
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. O	CITISTAFF-0000004 – CITISTAFF-0000005
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. P	NS000038 – NS000045
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. Q	NS000095 – NS000100
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. R	NS000014
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. S	CITISTAFF-0000009 – CITISTAFF-0000010
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. T	TESLA 0000321 - TESLA 0000323
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. U	CITISTAFF-0000001 – CITISTAFF-0000003
Docket No. 92	Plaintiffs' Opposition to CitiStaff's MSJ	Declaration of Larry Organ, Exh. V	NS000175 – NS000178

Docket No. 116	nextSource's MSJ	Declaration of Juan Araneda, Exh. B	6/17/19 K. McGinn Deposition Exhibits 91 (CITISTAFF-0000006-CITISTAFF-0000007); Exhibit 178 (NS000025)
Docket No. 116	nextSource's MSJ	Declaration of Juan Araneda, Exh. C	5/17/19 W. Jackson Dep., Deposition Exhibit 124 (TESLA-0000635-TESLA0000636); Exhibit 125 (TESLA 0000634); Exhibit 127 (TESLA 0000646 – TESLA 0000647); Exhibit 130 (TESLA 0000004 – TESLA 0000008); Exhibit 132 (TESLA 0000730 – TESLA 0000737); Exhibit 134 (TESLA 0000317); Exhibit 136 (TESLA 0000320); Exhibit 140 (CITISTAFF-0000009-CITISTAFF-0000010); Exhibit 142 (TESLA 0000752 – TESLA 0000753)
Docket No. 116	nextSource's MSJ	Declaration of Juan Araneda, Exh. D	5/22/18 O. Diaz Deposition testimony and Deposition); Exhibit 1 (CITISTAFF-0000034-CITISTAFF-0000035); Exhibit 13 (TESLA-0000043-TESLA-0000046); Exhibit 15 (CITISTAFF-0000050-CITISTAFF-0000055)

Docket No. 116	nextSource's MSJ	Declaration of Juan Araneda, Exh. E	12/3/18 O. Diaz Deposition testimony and Deposition Exhibits: Exhibit 33 (CITISTAFF-0000043-CITISTAFF0000045)
Docket No. 116	nextSource's MSJ	Declaration of Juan Araneda, Exh. G	12/6/18 M. DeLeon Deposition, Exhibit 88 (CITISTAFF-0000001-CITISTAFF0000003)
Docket No. 116	nextSource's MSJ	Araneda Declaration of Juan Araneda, Exh. I	11/30/18 E. Romero Deposition, Exhibit 43 (TESLA-0000511); Exhibit 53 (TESLA 0000308); Exhibit 55 (TESLA 0000641); Exhibit 56 9 TESLA 0000135 - TESLA 0000136); Exhibit 64 (CITISTAFF-0000011-CITISTAFF-0000013)
Docket No. 118	Tesla' partial MSJ	Declaration of Patricia Jeng, Exh. 1	5/22/18 O. Diaz Deposition testimony and Deposition Exhibits: Exh. 13 (TESLA-0000043-TESLA-0000046); Exhibit 24 (TESLA-0000043-TESLA-0000046)
Docket No. 118	Tesla' partial MSJ	Declaration of Patricia Jeng, Exh. 2	12/3/18 O. Diaz Deposition testimony
Docket No. 118	Tesla' partial MSJ	Declaration of Patricia Jeng, Exh. 4	5/15/18 D. Di-az Deposition testimony
Docket No. 118	Tesla' partial MSJ	Declaration of Patricia Jeng, Exh. 5	12/4/18 D. Di-az Deposition testimony

Docket No. 118	Tesla' partial MSJ	Declaration of Patricia Jeng, Exh. 10	11/30/18 E. Romero Deposition Exhibits: Exhibit 42 (TESLA 0000510); Exhibit 43 (TESLA 0000511); Exhibit 55 (TESLA 0000641); Exhibit 56 (TESLA 0000135 - TESLA 0000136); Exhibit 65 (TESLA 0000127 - TESLA 0000128)
Docket No. 118	Tesla' partial MSJ	Declaration of Patricia Jeng, Exh. 12	6/17/18 V. Quintero Deposition Exhibit 38 (TESLA 00000020 - TESLA 00000024)
Docket No. 118	Tesla' partial MSJ	Declaration of Patricia Jeng, Exh. 17	5/17/19 W. Jackson Deposition Exhibits: Exhibit 123 (TESLA 0000629 - TESLA 0000630); Exhibit 124 (TESLA 0000635 - TESLA 0000636); Exhibit 127 (TESLA 0000646 - TESLA 0000647); Exhibit 128 (TESLA 00000020 - TESLA 00000024)
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. A	NS00000004
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. B	12/3/18 O. Diaz Deposition testimony; 5/22/18 O. Diaz Deposition testimony
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. C	NS000175 - NS000178
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. E	TESLA 0000667 - TESLA 0000671
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. F	TESLA 0000333
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. G	NS000108- NS000111
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. H	NS000095- NS000100
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. I	TESLA 0000510
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. J	TESLA 0000511

Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. K	TESLA 0000314 - TESLA 0000316
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. L	5/15/18 D. Di-az Deposition testimony.
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. M	7/26/19 L. Patterson Deposition testimony
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. N	TESLA 0001003 – TESLA 0001005
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. O	TESLA 0000060
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. P	TESLA 0000626
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. Q	NS000138- NS000139
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. R	CITISTAFF-0000050 – CITISTAFF-0000055
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. S	NS000038 – NS000045
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. T	NS000095 – NS000100
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. U	NS000014
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. V	CITISTAFF-0000009 – CITISTAFF-0000010
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. W	TESLA 0000321 - TESLA 0000323
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. X	TESLA 0000317
Docket No. 124	Plaintiffs' Opposition to nextSource's MSJ	Declaration of Larry Organ, Exh. Y	TESLA 0000905
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. A	NS000004
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. B	5/22/18 O. Diaz Deposition testimony; 12/3/18 O. Diaz Deposition testimony
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. C	5/15/18 D. Di-az Deposition testimony; 12/4/18 D. Di-az Deposition testimony
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. D	TESLA 0000842 – TESLA 0000843
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. E	CITISTAFF-0000043



Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. F	WV000100 – WV000102
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. G	TESLA 0000510
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. H	TESLA 0000511
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. I	TESLA 0000314 - TESLA 0000316
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. J	TESLA 0000060
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. K	TESLA 0000626
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. L	NS000108
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. M	NS000138- NS000139
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. N	CITISTAFF000005 0- CITISTAFF000005 5
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. O	NS000038 – NS000045
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. P	7/26/19 L. Patterson Deposition testimony
Docket No. 125	Plaintiffs' Opposition to Tesla's partial MSJ	Declaration of Larry Organ, Exh. R	TESLA 0001003 – TESLA 0001005
Docket No. 132	Tesla's Reply ISO partial MSJ	Declaration of Patricia Jeng, Exh. 25	TESLA 0000061
Docket No. 132	Tesla's Reply ISO partial MSJ	Declaration of Jeng, Exh. 25	5/22/18 O. Diaz Deposition testimony

Per the above chart, the following docket entries can be completely unsealed: Docket Numbers. 92, 116, 118, 125, and 132.

Based on the concurrently submitted declaration, Defendants respectfully request that the documents identified above be kept partially under seal with the proposed redactions.

Dated: January 16, 2020

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By: /s/ Patricia M. Jeng

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1 Dated: January 16, 2020

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3 By:                     /s/ Vincent J. Adams                    

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